

DOCKET NO.: IBIS0055-100(IBIS-0403)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Swayze et al.

Confirmation No. 1815

Serial No.: 10/071,978

Group Art Unit: 1624

RECEIVED

Filed: February 6, 2002

Examiner: K. Habte

JUN 23 2004

Title: **Novel Benzimidazole Compounds**

OFFICE OF PETITIONS

HAND DELIVERED

DATE OF DEPOSIT: June 23, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**Petition Under 37 CFR § 1.313(c)(2) To Withdraw From
Issue After Payment Of The Issue Fee**

Applicants hereby petition for withdrawal of the above-referenced application from issue for treatment of the contemporaneously filed Request for Continued Examination under 37 CFR § 1.114.

A Notice of Allowance/Issue Fee Due was mailed on February 25, 2004, and the issue fee was paid on May 25, 2004. Applicants submit herewith a Request for Continued Examination with an Information Disclosure Statement. Applicants respectfully assert that this Petition satisfies all requirements of 37 CFR §§ 1.313(c)(2) and 1.114.

The Commissioner is hereby authorized to charge payment for the filing of this Petition in the sum of \$130 to Deposit Account 50-1275. The Commissioner is further authorized to charge any deficiency or credit any over payment associated with this application to Deposit Account 50-1275.

Early and favorable action on this Petition is respectfully requested.

Respectfully submitted,



Michael P. Straher
Registration No. 38,325

Date: June 22, 2004

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